

1608/5069.

Nov 17

A

NARRATIVE OF THE LIVES OF JAMES FALCONER, PETER BRUCE, AND JAMES DICK,

*Now under Sentence of Death in the Tolbooth of Edinburgh,
for Breaking open and Robbing the Banking Office of Dun-
dee, on the Night of the 17th February 1788.*

TO WHICH IS ADDED,

A Solemn Attestation of their Innocence,

*As Signed by themselves in the Presence of an Eminent and
Reverend Divine of this City.*

wrote by W. H. Hall, a fellow prisone

Ye giddy throng who languish in the lap
Of pamper'd ease, and waite the tedious night
In thoughtles pleasure, and discordant joy;
O, hither come! explore those gloomy walls,
The dire abode of helpleſs misery
And fell despair. Nor check the falling tear,
Nor all the ioft emotion that the foul
Feels for another's woe: for 'tis the breath,
The ſecret whispers of th' E:ternal mind,
That points the road to Happiness and Heav'n!

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1608/5069.

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INTRODUCTION.

THE narrator of the lives of these unfortunate men, without any interested views, offers the following sheets to the public. Strongly impressed with ideas of the uprightness of our laws, and the integrity of our judges, it cannot be supposed that he means, even by insinuation, to challenge either as unjust or severe. He professes too much veneration for our constitution, to call in question the verdict of an impartial jury; as advocate for these unhappy individuals, he bows with submission to the sentence of the court, whilst they, with becoming fortitude, await the awful moment that must deprive them of existence.

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THE unhappy men who are the subject of these memoirs, expect no advantage to accrue to them from this publication, they are not anxious for a further inquiry to take place, respecting the perpetrators of the robbery for which they are condemned ; as dying men they mean to assert their innocence in the most solemn appeal, not with a view to save them from impending punishment, but to prevent their memory being branded with infamy, and their unhappy relatives from being the objects of calumny and disgrace.

EVERY attempt has been made use of for the purpose of awakening them to a proper sense of their unhappy situation—the awful consequence of launching into eternity with a falsehood on their lips, and the dreadful crime of unrepented perjury, have been represented to them by a Reverend Gentlemen, no less eminent for his piety than his eloquence.—They have been entreated as dying

men to reflect, that a few moments longer will hurl them into the presence of that Being, whose justice inflicts the severest punishment on unrepented crimes. Unmoved, and with the greatest composure, they have listened to these awful admonitions—they have acknowledged their entire dependence on that Supreme Being, and that they shall leave this world in full confidence of his mercy, attesting their innocence with their latest breath.

To the declaration of dying men, charity would induce us to pay some regard. But when we consider for a moment that these men have not been trained up in the ways of infamy—that they have not been hardened into vice by a frequent repetition of it. Humanity weeps at their awful situation! Justice, though unused to relax, viewing them with the most scrutinizing eye, fearfully holds the balance of guilt and innocence, and, doubtful which should preponderate, drops a tear, and inclines to mercy!

THE alarming situation of these unfortunate men will, I trust, apologize for canvassing the character of the evidences who appeared against them; and, should the principal witness appear notoriously infamous, it may in some measure account for his uniformity in swearing to the commission of a crime with which he seems too well acquainted; and the greatness of the reward, might be a sufficient inducement to perjure away the life of the innocent.

PERHAPS it may not be improper to observe, that the evidence of an accomplice, and one of known bad character, should at all times be received by the jurors with the utmost caution. The laws have wisely, and for the benefit of society, allowed as admissible, the evidence of *a socius criminis*. But, when we consider the depravity of human nature—the temptation of accumulating money by the conviction of others, not to mention the fear of pu-

nishment themselves, we ought to regard even their affirmation as a daring appeal to heaven, and with the utmost reserve, give credit to men hackneyed in the ways of infamy.

THE frequent instances that occur of men launching into eternity, attesting their innocence, may, perhaps, prevent this address having its proper effect ; but, when we consider the character of those—their impiety, and with what daring resolution they rush on death—with an enthusiasm bordering on madness, they seem ambitious to be deemed as martyrs to infamy, and to be remembered only with horror and detestation.

ON the contrary, we oppose to them three unhappy men, who, tho' they have not been eminent for their virtues, have not been conspicuous for their vices; who, amidst the common failings that attend humanity, have conducted themselves as

useful members of society, and by a strict attention to their several employments, have honestly derived sufficient for their decent support; and whom, candour obliges us to hope, if they had never been accused with the commission of this crime, would have passed the remainder of their lives in calmness and obscurity, contented and happy.

THEY acknowledge with much gratitude, the high obligation they owe their country for the respite obtained, in order to give a farther investigation to this mysterious business; and, though it has not been attended with the desired effect to throw any additional light on this complicated affair, but added to them a companion in misery, they cannot but admire with thankfulness, that tenderness with which justice is administered, and with calmness, patiently wait for that awful moment, when they shall fulfil the sentence pronounced against them by the voice of their countrymen.

BUT they still conceive it to be a duty incumbent on them, to employ their few remaining moments, not only in making a proper preparation for death, but in giving a solemn declaration of their innocence of the crime for which they are condemned to suffer. Dreadful as their situation is, under the continual expectation of impending dissolution, they feel a calmness which can only proceed from a consciousness of their innocence, and would not exchange situations with those men, who, from motives the most infamous and dishonest, have falsely sworn away their lives. The truth of which they appeal to that Being before whom they must shortly appear.

As the public curiosity may be much raised to be acquainted with the characters of those men, it may not be deemed improper to give a short detail of their former life and situation, which being properly attested by each of them, will pre-

vent its authenticity being called in question.

THE publisher of these memoirs flatters himself, it will be deemed more interesting, to give this short narrative and solemn declaration, as received from themselves. He, therefore, with the utmost deference, submits the following to the public.

THE

LIFE OF JAMES FALCONER,

As Written by Himself.

I WAS born at Dundee the 16th of April, 1765, my parents were honest and industrious, and gave me an education suitable to my expectations in life. At a proper age my father bound me an apprentice to a worthy merchant in Dundee; but he dying a short time after, at the solicitation of my friends my master gave his consent to release me from my apprenticeship, and I went home to assist my mother in collecting the Flesh Market, Weigh House dues, &c. of which my deceased father was tacksman. In this situation I continued for some time, till the year 1784, when it was roused by me to another tacksman. At the same period I entered into business in a shop in the New Street of the said town, and dealt as a grocer

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and spirit dealer ; but, though not attended with success, I flatter myself that no imputation rests on my transactions, except what is common to young men who embark in business with too small a fortune, or too little experience in life. After being unsuccessful in business, I remained for a short time with my mother, and experienced every indulgence and support from her that her circumstances could afford.

IN this situation I continued till Martinmas 1787, having frequently a desire to go abroad ; but an opportunity again offering of becoming tacksman of the Weigh House, &c. I once more entered upon it, on the 22d November 1787. With the utmost economy I now conducted myself, and felt great happiness at the prospect of being once more settled in life. I was determined by my industry and attention to establish myself, and hoped my integrity and honesty of dealing, would insure me

the protection and support of my friends and acquaintance. But, alas ! how uncertain are our enjoyments in this life, and from what hidden and unexpected sources do our miseries spring.—On the night between the 16th and 17th of February 1788, I may date the source of all my misfortunes ; for, on the day following, the town's drum went about offering a reward of L. 50 Sterling upon information, and L. 100 on conviction of any of the persons concerned in the robbery of the Dundee Bank, which reward has operated so forcibly as not only to cause a regular chain of evidence to be planned by the artful and designing, but at last to terminate in my death. In its proper place I shall give some traits of the two material evidences against me, and for the authenticity of such observations, refer to the general opinion formed of them by the town and neighbourhood of Dundee. After the banking house was robbed, I attended my business publicly as usual, and

on the 23d of the same month I was desired by John Rae, an officer, to wait on the provost at the Town House. Knowing myself perfectly innocent of any charge of a criminal nature, I did not hesitate a moment, but immediately went to the Town Hall, where the provost, a magistrate, the cashier of the Dundee bank, and several of the proprietors were present. This was eight days after the Bank was robbed, and I then understood that many persons had been examined and given in their depositions, especially those who kept public houses, and as my mother kept one at that time, and myself being frequently there, and always sleeping at her house, the examination gave me no sort of concern. My mother's house was only the breadth of a narrow lane called the Vault from the Town House, at the east end of which the banking office was kept; and as I had repeatedly mentioned that I heard a noise, which to me appeared to proceed from the Town House, the night the rob-

bery was committed, I was examined by the magistrates concerning it, and answered accordingly, that I heard a noise in the night, but knew nothing more of the matter. After this examination I was discharged, and continued in the town openly transacting my business. As I knew my own innocence, I was under no anxiety or apprehension, but continued to attend the weigh house as usual. Having given in my declaration to the magistrates the 23d February, I had no expectation of being farther troubled with this business; but about a month afterwards, on the 22d March, I was again sent for by the town officers to a public house in Dundee, where the cashier of the bank, the town clerk, and a few other gentlemen attended. I then judged a farther inquiry was going to take place respecting the robbery; but I was not in the least intimidated as I knew my own innocence. I was ordered to sit down, and for a considerable time no questions were asked. About 9 o'clock in the even-

ing I informed them I must return and shut up the weigh house. They then gave me to understand that the provost was sent for; however, after waiting a little longer, the provost did not come, but one of the magistrates made his appearance. My former declaration was then ordered to be read over to me, that I might the better recollect the same—I told them, what it contained was truth. They then asked me if I had received any letter from Bruce since he left Dundee—I answered, no. They inquired of me if I had heard any more news concerning the robbery of the Bank—I told them, I had not. They then told me they had strong presumptive proof that I was concerned in the perpetration of the robbery, that I ought to embrace the first opportunity of not only obtaining the reward, but that they would also procure my pardon.—I answered them in the most solemn manner, that I knew nothing respecting the breaking of the Bank; that I was innocent, and in such a

declaration I would continue to my latest moments. I was then ordered into an adjacent room, and after staying about half an hour was called in, and informed by the town clerk, that he had my commitment in his hand; and, speaking to the keeper of the Dundee prison, I was delivered into his custody. I continued in that prison from the 22d day of March till the 8th of August, and refer to the jailer to vouch in what manner I conducted myself whilst under his care. I need only appeal to him for proving the falsehood of M'Donald's assertion, that I intended to murder him when he was put into the same prison with myself for debt. Notwithstanding his false declaration against me, I hope God will forgive him. I was taken from Dundee prison on Friday the 8th August 1788, to be brought to Edinburgh. My guard consisted of two town officers and a stranger from Forfar; and, through the whole, they treated me with great humanity, for which I beg leave to

make this public acknowledgment. On Saturday night at nine o'clock I arrived in Edinburgh, and was lodged in the tolbooth; and, on the Wednesday following, my trial came on before the High Court of Justiciary. With a strong conviction of my innocence, I have supported myself under all my difficulties, and even under the awful solemnity of receiving the fatal sentence. That Being who succours the defenceless, and is a shield to the innocent, gave me fortitude and resignation in that trying moment. I have now remained for four months under the dreadful sentence of the law. Under the temporary respite I have received, I have not been anxious to prolong a life too much embittered with misery and disappointment; with calmness I shall meet my fate under the full assurance of the infinite mercy and goodness of a Divine Being. Perhaps it may not be deemed improper to make some few observations on what I have written. To draw any inferences either

of my presumptive innocence or positive guilt in me would be highly unbecoming. The public will please to recollect, that it is the characteristic of innocence to be open and unsuspecting, not too assuming in demanding an inquiry, or too backward in submitting to an investigation, possessing an happy medium, and with a conduct entirely opposed to that of guilt. I shall leave the conclusion to the impartial and discerning ; they will judge whether my remaining in Dundee one month after my precognition was taken before the magistrate respecting the robbery of the bank —they will draw the proper inferences from my refusing the offered pardon, with a large reward, upon my making the necessary discoveries, and either suppose that I was actuated by madness, or a strange infatuation ; or was unconscious of having committed the crime myself, and equally a stranger to the perpetrators of the deed.

THE dreadful malignity that at times

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takes possession of the human breast—the depravity of the unprincipled, even to the destruction of their fellow creatures, so frequently occur, that I need produce but few examples to prove my assertion. History affords us many instances ; and even within a few years, a conspiracy was formed in London, by a set of miscreants, to take away the lives of innocent men, by charging them with the commission of various robberies. This practice was carried on too successfully for near four years, and many an unhappy youth fell a dreadful sacrifice through the perjury of this combination of murderers. I speak only from memory, but I believe one of the names of these horrid associates in England, was M'Donald. I mean no insinuation from the similarity of the names corresponding with two of the evidences against me. But when facts are stated, when a chain of infamous transactions are brought to view, it can no longer be doubted that the man who, in his

cooler moments, can deliberate and execute acts of villany, will hesitate to commit perjury, and every other crime of the blackest complexion. The laws, for the most salutary and just purposes, allow large rewards for apprehending persons who have rendered themselves dangerous to society. These rewards are not to be looked upon as the price of blood, or an inducement to commit the crime of perjury, but as a necessary compensation and gratuity for the loss of time and danger attending such hazardous pursuits. These rewards seem to have acted most forcibly on the minds of Alexander and Robert M'Donald; but perhaps their extreme poverty, and the expensive suit in which they were engaged, in the prosecution of a fraudulent bill, have induced them to enter into this dark business. The whole neighbourhood of Dundee will bear me witness that the M'Donalds are not the most affluent in circumstances, or respectable in character. The very reverse, will, I be-

lieve, readily be admitted; and the bill before mentioned, of which they are in possession, likewise will, I hope, display such a scene as to establish their character sufficiently through life. The bill in question is for the enormous sum of L. 384 given by a late shipmaster at Dundee, William Bruce, since dead; it was fraudulently obtained by giving him a bill to sign to that amount, instead of a receipt for a small bill of L. 9 which M'Donald had to pay the said Wm. Bruce, who, through age and infirmities, not to mention the effects of liquor, was fraudulently led to sign this bill instead of the receipt, and which bill is now contending for by the M'Donalds from the relations of the deceased William Bruce. Were I to englarge upon the character of the M'Donalds, it might appear invidious, and as the effects of rooted enmity against them. But I shall for ever leave them to the prey of their accusing conscience, that, whether acting as taylors at Dundee, or any part of the

kingdom—whether acting as smugglers or revenue officers, for the purpose of obtaining the property of others—whether they are attempting to obtain, fraudulently, bills from the aged and infirm, or appear in the new character of evidences, for the purpose of obtaining the reward ; their enormous guilt, the secret whispers of a tormenting conscience will, I hope, one day awaken them, that they may view with horror their past offences, nor longer, by rapine and perjury, seize upon their neighbour's property, or hurry into eternity the innocent and unprotected.

to distinguish or give a name for, and could
 therefore be supposed to be a simple survey
 with no rod or staff to measure
 with. It is also said that the
 distances are measured in steps and not in
 rods. In fact, 1000 steps are equal to
 100 rods, or 1000 feet. The
 distance between the two points is
 to be measured by walking and counting
 the steps, and the distance between them is
 to be measured with a rod and the distance
 equal to 100 steps is to be measured with a
 staff. The distance between the two points
 is to be measured with a staff.

THE

LIFE OF PETER BRUCE,

As Written by Himself.

I WAS born in the parish of Liff, in the neighbourhood of Dundee; my parents were respectable in the farming business, and, with much tenderness, instructed me in my younger years, and gave me a good education. After leaving school, I was put apprentice to a merchant in Dundee, and continued with him a considerable time; but, at that period, being very young, with a mind unsettled, I left his house, and entered into the Train of Royal Artillery, where I continued about two years; but my friends not approving of my situation, they obtained my discharge by purchase. I then returned to Dundee, and entered into business as a merchant; but in this situation, notwithstanding the diligence and exertion I made use of, proved

unsuccessful. I continued for some time out of business, and was entirely indebted to my friends for support. Indeed, their kindness to me has always been such as to demand my warmest acknowledgements. But not approving of this inactive state of life, with the concurrence of my friends, I determined to go abroad. In January 1788, an opportunity offered of my going to Kingston in Jamaica. The ship called Alexander, of which Mr Andrew Turner merchant, Greenock, was owner, being advertised to sail on the 25th February 1788, I embraced that opportunity ; my clothes, therefore, for the voyage, were bought of Bailie Alexander Thoms ; my passage-money was likewise remitted by a Mr Thomas Smart, writer in Dundee, to Mr Andrew Turner, merchant, Greenock ; and my chest was also sent. All this was publicly known at Dundee six weeks before the robbery was committed on the Bank. On the 17th February 1788, which was Sunday, information was given that the Dun-

dee Bank had been robbed on the preceding night, of cash and notes to a considerable amount. This became the general subject of conversation. However, I went about the town in the same manner I was accustomed to do, making all the usual inquiries, as was common to every one, nothing doubting of my own safety, as I was conscious of my innocence. On Monday, the day following, I continued in Dundee, walking in the most public manner ; and the next day, Tuesday the 19th, after taking leave of all my friends, I left Dundee about 4 o'clock, and went that evening to Perth, and slept at the house of a Mr Watson, who keeps the Carron warehouse. In the morning I hired a horse from Perth to Glasgow, and reached Stirling the same evening, and slept at the Black Bull. The night following, I arrived at Glasgow ; and calling on the Perth carrier, delivered my horse to him to be taken back to Perth, and slept that night at a house in the Salt Market. I

continued two days in Glasgow, and, as I understood there that the ship Alexander was not to sail till the 27th or 28th, on Monday the 25th, I left that city on foot, with three other travellers, and arrived at Greenock the same night about 10 o'clock. There I slept at the sign of the Three Jolly Sailors. In the morning I went to Mr Turner's office, accompanied by Mr ——, to make inquiry respecting the sailing of the ship and my chest. I had no sooner entered than I was seized upon by some constables, and immediately conducted to the head inn. I was still ignorant of what was laid to my charge. But on hearing a letter read by a gentleman then present; and the name of a Mr Jobson being mentioned, who is cashier of the Dundee Bank, I conjectured immediately I was taken up on something relative to the robbery of that house. I gave my precognition to a Mr Campbell, a Justice of Peace, at the same time declaring my innocence. My chest was

sent for and examined, and myself searched, but nothing was found, except about three guineas, which was the remainder of the money with which I left Dundee. The three travellers who came from Glasgow gave their declarations before the Justice. Two of whom were detained with myself as prisoners; and the next day we were tied with ropes, and conducted under a strong guard to Paisley jail. We arrived at Paisley that night, and committed to separate rooms. I wrote immediately to Dundee to my father, under cover to Mr Smart, which letter was directly shewn to the proprietors of the Bank, and they instantly wrote to Paisley requesting my liberation, as they had not the least suspicion that I was any ways concerned or privy to the robbery. I now was in possession of my liberty, and again set off for Greenock, in order to my embarking on board the Alexander; but unluckily for me she had failed during the time of my imprisonment, which occasion-

ed my losing my passage. I remained at Greenock, hoping soon to get a passage and was chiefly at the house of John Brown, vintner, who is fully acquainted with the great distress I was frequently in for want of money, insomuch that I was even obliged to sell some of my clothes to him for my support. I remained near a month in this place in daily expectation of getting a passage, but was prevented by being taken up a second time by Wallace, a town officer of Greenock, and a writer from Port-Glasgow. I was immediately taken to a Justice, before whom I gave my first declaration, when my chest was again sent for, and every other article belonging to me was searched, but nothing found. I was then ordered to the inn, accompanied by the officer, in order to be sent to Paisley; in a short time the chaise was ready, and I set off in company with the town officer and a writer, for Paisley. We arrived the same day, and, stopping at

an inn, the procurator-fiscal was sent for, at which time I was urged to accept of his Majesty's pardon, and the reward offered by the Bank. I answered it was impossible for me to accept of either—that I was not only innocent myself, but absolutely unacquainted with the perpetrators of the theft—that I would not, to save myself from the consequences, however dreadful, accuse any person wrongfully, or acknowledge myself guilty when I was not so. I was therefore ordered to Paisley prison, where I continued from the 26th March to the 8th August. I had not even the allowance made to prisoners, though I petitioned for the same, but was supported by my father, who made remittance to a worthy merchant for my maintenance. After remaining in prison a long time, and no prospect of my being brought to trial, I run my letters for the purpose of appealing to my country; and, though conscious of my innocence, I have experienced the dreadful reverse, and have been found

guilty. I was removed from Paisley jail the 8th August, under a strong guard, and conducted to Edinburgh, in order to take my trial. I had every reason to hope for an acquittal. Conscious of my innocence, I trusted it would have appeared conspicuous to my country. But without challenge or repining, I bow with submision to the awful sentence pronounced against me. I must beg permission to make a few observations on what I have written. I trust, that my leaving Dundee, within three days after the robbery was committed, will not be construed as a proof of my guilt. My intention of going to Jamaica was well known in that town, for two months prior to my leaving it; and, as the ship on board which my passage was taken, was advertised to sail on the 25th or 26th, it surely will justify my departure, which was publicly known, especially as I took the immediate road, without any concealment or disguise. My imprisonment in Paisley jail for eight days, charged with the commis-

sion of a crime of the most fatal consequences, would surely, had I been guilty, had its proper effect, after obtaining my liberation, unless I had been rendered insensible by the strongest infatuation. I should have consulted my safety, and, by either flight or disguise, have endeavoured to elude the pursuit of justice; but my conduct was the very reverse; I remained openly at Greenock, waiting an opportunity to embark, agreeable to my first intention. To the candid and impartial, I make my appeal, confident of obtaining from the liberal minded a full acquittal. But I make a further appeal; as a dying man, I call upon Heaven, upon that Being on whom I depend for support in my last moments, to witness my innocence of the crime laid to my charge! With resignation I submit, and bow with humility to the decrees of Providence!

LIFE OF JAMES DICK,

As Written by Himself.

JAMES DICK was born in Dundee in the year 1740, his father was a capital brewer in the said town, in the early part of his life, having a great desire for the sea, his friends gave him a suitable education, and, at the age of 15, bound him an apprentice to David Myles shipmaster of Dundee. The first voyage he made proved rather unsuccessful, being taken prisoner by the French, who landed him at Norway, from whence he was compelled to return passenger in a merchant's ship the summer following. He continued with his master who appointed him mate; and, in a voyage to Rotterdam, he was a second time taken prisoner by the French, but was soon released. After the expiration of his apprenticeship, he remained in the employment

of his master, who appointed him captain of a ship, in which station he continued for some years in the Baltic and Rotterdam trade. At the repeated solicitations of the merchants of Dundee, he was prevailed on to purchase a ship, which was called the True Love, and which was chiefly employed by them in the Baltic trade; but, from the many losses he met with, he was compelled to part with his ship, and sail as master of one belonging to the Frith of Forth, in the Baltic trade, which was the last station he was employed in. He afterwards retired to Dundee, lived upon the small annuity his wife was entitled to, and was assisted by his friends.

BUT, to proceed with the narrative in his own language.—“ I may challenge my unhappy situation to arise from the fraudulent bill, already mentioned by James Falconer. The public curiosity at Dundee being much engaged about it, made me anxious to discover every particular ac-

tending that infamous transaction. An opportunity very soon offered ; Alexander M'Donald having some difference with — Menzies, one of the witnesses against me, and journeyman to M'Donald, he was induced to lay open to me such a complicated scene of villainy, as to prove that the bill was obtained from the deceased William Bruce, in the most fraudulent and wicked manner. I therefore thought it my duty, to give a proper attestation of the facts that came to my knowledge, for which purpose I went to Edinbrugh, and, before Mr Hugh Elder and a Mr Young writer, gave every information relative to that business.—I returned to Dundee, and scarcely two days had elapsed before I found the fatal consequences to myself of meddling with any matter where the Macdonalds were concerned. I was desired to attend the town clerk's office, where I underwent an examination respecting the robbery of the Dundee bank, and, tho' a lapse of near four months had taken place

since said robbery was perpetrated, and I had remained the whole time in Dundee; yet nothing was laid to my charge; but the moment I attempted to interfere with the Macdonalds, the very instant I was informed that the bill for L. 384 was a forgery, and that my evidence would be made use of in its proper place, to prevent the payment of the same, that moment I became obnoxious in the eyes of M'Donald; I appeared as the principal obstacle, and an insurmountable barr to the recovery of so large a sum, and the only means left was, to endeavour to add me to the number of the two unfortunates already under sentence of death. How far he has succeeded, the public and myself are too well acquainted. It is for this I die. But thank heaven I die innocent; and, though I now acknowledge my errors to be numberless and my transgressions great, yet I look up for mercy to that Being before whom I appeal for my innocence of the crime for which I am to suffer, and on whom I depend for succour in my dying moments."

THE Public are now in possession of a few particulars respecting these three unhappy men ; much more might have been said, many proofs might have been brought greatly exculpatory of their guilt, but it has been thought proper to pass them over, as by some they might be thought invidious reflections ; and, though truths publicly known, and received as such in the town of Dundee, might in the city of Edinburgh be deemed nothing but calumny and slander ; they therefore rest their plea of innocence upon the general character of the evidences against them, upon the strong motives they had to influence them, namely, the Reward ; and upon their consistency of behavior after the robbery was committed. But if all these should prove ineffectual to remove the strong prejudices against them, or to establish their innocence, they have their last and only resource, an appeal to Heaven. This they hope will be received by all good men as the language of truth, as the genuine ef-

fusion of the soul already on the confines of eternity and panting after immortality. It appears to be the only privilege to which they are now entitled. They have long forgot the desire of complaining. They not only know how ineffectual the voice of misery is, but their familiarity with distress has rendered it almost habitual to them. The gloom of a prison—the dreary melancholy of confinement—and the chains which surround them, cannot embitter! cannot appal!—Happy in the reflection of conscious innocence, they rise above the most complicated misery, and with patience await their doom! They are supported under every difficulty, and are superior even to death itself!

THEY do not mean by this language to acquire the appellation of martyrs, or men who are sacrificed by the stern hand of public justice. They give full credit to the opinion formed of them by the Gentlemen of the jury, and the sentiments of

the judges who presided on their trial. They have only to lament, that the plan formed against them, was attended with too much success ; and, though this may not be the first instance of innocence suffering for guilt, from the effects of pre-concerted villainy, their ardent prayers are offered up to Heaven, that their deaths may be the last dreadful expiation to satisfy the insatiable lust of perjury, avarice, and fraud.

The last Solemn Declaration of James Falconer, Peter Bruce, and James Dick, late of Dundee, but now under Sentence of Death in the Tolbooth of Edinburgh.

WE acknowledge, with the greatest humanity, our entire support and dependence on the Divine Being, and bow with submission to his unerring decrees. We acknowledge his power to be infinite, and believe, with a firm persuasion, that though death deprives our bodies of existence, we possess souls that must commence associates of immortality, and whose duration must be eternal ! As dying men, we make our solemn appeal, and declare individually and collectively, that as we expect mercy hereafter, or hope to receive succour and support from the Divine Goodness in our approaching moments of dissolution, that we are not only strangers to the perpetrators of the robbery committed on the banking house at Dundee, and for which we are

condemned to die, but that we had no part either actual or intentional in the commission of the said offence. That we were not either present, or knew of such a crime being intended to be perpetrated. That we, each of us, declare our entire innocence of the crime for which we are to die. This we solemnly attest, and which declaration we individually sign, and confirm the truth of, as we hope, or expect mercy and forgiveness from God.

(Signed) **JAMES FALCONER.**
PETER BRUCE.

JAMES DICK.

TOLBOOTH, WEDNESDAY, 2nd night A. M. 1788.
Dec. 10. 1788.

This Attestation was signed in the presence of the Rev. Mr GREENFIELD, one of the Ministers of this City.

APPENDIX

TO THE

NARRATIVE of JAMES FALCONER,

AND

PETER BRUCE,

WITH A

Particular Account of their Behaviour whilst under Sentence of Death, and at the place of Execution.

THE publisher of the memoirs of these unfortunate men, conceives himself particularly called upon in this second address, to explain the motives by which he has been actuated, and to clear himself from the imputation of presumptuously interfering in their behalf, after they were legally condemned by the voice of their country.

As an individual, he confesses his insignificance and obscurity; as an author, he

acknowledges his incapacity and want of ability. But, in pleading the cause of humanity, and wiping the tear from the eye of uncomplaining misery, he feels the importance of the task. It awakens the most lively emotions in his soul, and he glories in being the defender of the helpless, and solicits the aid of the benevolent for their protection and support. He does not presume to deliver his own opinion on this occasion. They have now answered the full demands of their country, and whether guilty or innocent, they have arrived at those confines "from whose bourn no traveller returns." They have been exhibited an awful spectacle to men and angels, and however shocking for humanity to reflect upon, we cannot but admire that strict justice which so forcibly adheres to the very letter of the law, and consigns to punishment those convicted of violating the property of others.

IT IS THIS IMPARTIALITY, THIS UNRELENTING

manner with which justice is administered that powerfully calls on every individual. The fate of these men is now no longer depending. Their memory, whether handed to posterity, tinged with guilt or emblazoned with innocence, is of little avail: But, the security of ourselves, the protection of the rising generation, claim our impassioned regard. If these men are innocent of the crime for which they suffered, the public voice of humanity, their unappeased manes, heaven, and even nature itself, anxious to develop this dark business, calls for a farther investigation.

THERE is no earthly consideration when put in competition with the life of an individual, that can hold any proportion; it is of inestimable value when considered either in a religious or moral point of view; and though necessity compels, and justice demands the execution of our fellow creatures, yet the convulsive pangs attendant on dissolution, the fluttering state

in which the soul hovers while on the lip of the expiring criminal, strongly intimates that nature, almost disjointed, receives the wound, and weeps over the destruction of the human species.

IT is needless, I presume, to call in description to heighten the horror of the scene the public have so recently been spectators of. The calmness and composure with which these two unhappy men met their fate, their resignation, with the firm persuasion they possessed of entering into happiness, added to the solemnity of the scene; and whilst the feeling heart indulged the natural impulse of a tear, the benevolent mind only bade them farewell, with an assurance of meeting them in a better state.

To prevent improper reports taking possession of the public, to assure those who are interested or wish to be acquainted with the manner of their behaviour in

their dying moments, and to contradict any rumours prejudicial to themselves, or tending to reflect on the severity of their sentence, the following pages are submitted for perusal. And if their uniformity of conduct, their sentiments of piety, and a perfect charity with all mankind accompanied them to the last, I trust it will be an ample apology, for what has been already written on the subject; and will gain from the candid and impartial, a favourable impression of the motives which actuated the author in the present publication.

A RESPITE having arrived for James Dick, the two prisoners, Falconer and Bruce, were confined in an apartment separated from him. To prevent any possibility of escaping, they were chained to a large iron barr, which only admitted them to move the length of it, which was not more than four feet. In this awful situation they continued till the day they were taken out for execution—without ever

complaining ! indeed, the humanity of the keeper of the prison was particularly exerted towards them. By the order of the Magistrates, they were not allowed the use of candle or fire ; and surely in this situation, these two men, assisted by the humane attention of several of the Ministers of this city, debarred from the improper use of liquors, kept in a solitary confinement, chained to the floor, passing long tedious nights in darkness, and subjected to those reflections which must naturally arise from their impending fate ; the candid will naturally infer, that unless they were hardened to a degree of madness, and despised the solemn admonitions which were administered to them ; that unless they denied the existence of a Supreme Being, and the immortality of the soul ; the surrounding horrors, the dictates of their conscience, and the dread of future misery ; it is somewhat remarkable, if they were guilty, that the above considerations should not have wrung from them a confession.

On the contrary, they appeared to possess a composure and resignation perfectly suitable to their situation ; not a wish expressive of the least disrespect, or repining at the sentence pronounced against them ; but a full forgiveness of their enemies, and dying in charity with all mankind. To the honour of the Ministers of this City, their attendance and anxious concern for the future welfare of these unfortunate men, ought to be recorded. The author has only to lament, that this short lived essay cannot sufficiently express the grateful sense that these unfortunate men entertained for their kind and benevolent exertions. On the Sunday previous to their execution, they employed part of the day in the most painful task of taking an affectionate farewell of their friends, and in writing to their disconsolate relations. A letter was likewise sent to the Right Hon. the Lord Provost, acknowledging, in the most grateful manner, the particular attention that had been paid to their tem-

poral and eternal welfare ; and intreating to be indulged with the attendance of a few friends at the awful moment of dissolution ; they likewise, with the utmost composure, gave the needful directions respecting their funeral, &c. ; and an eminent and Reverend Minister of this City calling upon them, they joined him in a fervent recommendation of their souls to heaven, repeating their innocence of the crime for which they suffered, and their hearty forgiveness of all mankind. On the Monday they past the day with much calmness and resignation, frequently wishing for the important moment to arrive, when they should be no longer encumbered with mortality, but commence inhabitants of a better and happier state.

ON the Monday evening they retired to rest about ten o'clock, and passed the night tranquil and undisturbed. On being visited by some friends on Tuesday morning, they acknowledged, the nearer the

moment of dissolution approached, the more substantial and permanent was the satisfaction they experienced ; that they trusted alone to the Divine Goodness to enable them in their *dying* moments to declare their innocence, and to die with composure. The Magistrates had thought it expedient during the last two days to prevent any thing improper being conveyed to them by their friends, and for their more perfect security, ordered three men belonging to the Town Guard to be placed as sentinels over them : And, indeed, such precautions are highly necessary, as it not only precludes the possibility of an escape, but renders their situation, if possible, more awful and alarming.

ON the morning of their execution they arose about 8 o'clock, after passing an undisturbed night; indeed, they expressed a wish for a few hours refreshment of sleep, the better to prepare them for the approaching fatal moment. They expressed

a desire that they might appear with decency, for which purpose a hair-dresser was sent for, who performed the necessary business, but without powder ; afterwards they were taken from the iron guard on which they were chained, and about eleven o'clock proceeded to dress themselves in the clothes prepared for them. They then devoted the few remaining moments in the most important business preparing for eternity, and taking an affectionate farewell of a few friends and relations who were permitted to pay this last painful attention. About two o'clock the magistrates appeared upon the scaffold, and immediately afterwards the two criminals Falconer and Bruce, attended by the Rev. Mr Greenfield, Mr Webster and Mr Hall, two other ministers. They then proceeded to prayers, and after performing the usual devotions, questioned them in the most solemn manner respecting their guilt or innocence of the crime for which they were going to suffer. They again repeated, as

they expected mercy and forgiveness from heaven, that they were innocent of the crime laid to their charge: That they freely forgave all mankind and died perfectly resigned, submitting to their fate. The minister again proceeded to pray with them, and Peter Bruce kneeling down prayed extempore for a few minutes in language highly proper for men in their unhappy situation. The ministers proceeded a second time to admonish them of the danger arising from their persisting in their innocence; but they continuing to adhere to their former declaration, and calling heaven to attest the truth of their assertion. The ministers withdrew. They then ascended the platform, and the executioner adjusting the rope about their necks, &c. they took each other by the hand, and after their caps were properly drawn over their faces, Peter Bruce cried out in an audible and distinct voice, lifting up his hands, " I die innocent of the crime " for which I am going to suffer; help

“ me, O Lord !” Falconer at the same time attesting his innocence. The platform dropt, and they were launched into eternity. This concluded the fate of two men, whose sentence, according to the evidence given upon their trial, appeared perfectly just, and who acknowledged that from the connexion of the witnesses establishing their guilt, the integrity of the jury, and the humanity of the judges, cannot either by themselves or the public be called in question. They have freely canvassed the character of the witnesses, not from motives of private resentment, but to answer the essential purposes of public justice. They have even sealed their declaration, by pledging their happiness on its validity, and in the very moment of dissolution embraced eternity with fortitude and composure. It remains only for time to develope this mysterious business. Dark as it appears at present, and without any clue to unfold what is so very clouded and obscure, we can only suspend our opinion,

or draw such inferences as we are naturally led to, from the declarations of men in this very alarming situation ; and I think if we oppose in one scale the assertions of dying men to the evidence of those under an immediate influence, and whose characters and pursuits in life seem not to be of the fairest stamp, we cannot be long in forming some conclusion.

To the immortal honour of this country, the historic page has never been stained with the want of integrity in our Judges. They are superior to every interested consideration, and of the most inflexible virtue ; and at no one period can we boast a greater display of independence and integrity than the present ; and if ever the stern hand of Justice appears to relax or slacken, it is not to suffer the obdurate to escape, but to afford the penitent an opportunity of becoming useful members of society. Under such authority we have nothing to fear. Our lives, our liberties,

are perfectly secure. But, alas ! what human authority, what virtue, what integrity, can shelter from oppression, or soften the venom of the perjured assassin ? Like the wreathing serpent, he is secure in his various *foldings*—more fell than the envenomed reptile, he bites only to destroy. This I only say in general, and do not presume to apply it to the present case. To counteract, however, in some measure this evil, and to create a proper *alarm* in the breast of every individual, this publication is sent into the world ; to prevent laws, in themselves salutary and good, from being perverted by collusion and fraud ; to give permanency and stability to the authorities by which we are governed ; and to impress the alarming consequences of dark conspiracies and premeditated malice, is the import of this address. Thank God, as long as we can boast of our existence as a free people, we ought not only to *approve* of those laws by which we are governed, but to glory in, and ap-

plaud the greatest of all the privileges we enjoy, that of trial by *Jury*. It is a charge of the greatest importance with which our fellow citizens are intrusted ; and it must afford great satisfaction to every lover of his country, to observe with what fidelity, what impartiality they administer justice. It is those to whom this important trust may be delegated, that this address is more immediately and respectfully offered : And if, at any future period, the recollection of the sad catastrophe of these men should be the distant means of awakening suspicion at the moment when innocence is on the verge of suffering from the effects of perjury and fraud, the author, though consigned to obscurity and oblivion, will enjoy a satisfaction which time never can efface, and which his memory shall record whilst his heart can be warmed with sensibility, or is capable of feeling for another's woe.

